

ATTORNEY DOCKET NO: 70496

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CASTELLACCI  
PCT No : PCT/IT01/00387  
Filed : March 21, 2002  
For : A NEEDLE OF...  
Dated : March 21, 2002

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to initial examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please amend Claim 3 as follows:

3. (AMENDED) The biopsy needle according to claim 1, characterized in that said deflection of said tab-like extension (5C; 105C; 205C; 305C; 405C) takes place beyond the elastic limit of the latter and is generally permanent, in such a way that at least said withholding element (5) is of the disposable type.

Please amend Claim 4 as follows:

4. (AMENDED) The biopsy needle according to Claim 1, characterized in that said tab-like extension (105C) has side walls (105E) designed to contain the tissue specimen laterally.

Please amend Claim 5 as follows:

5. (AMENDED) The biopsy needle according to claim 1, characterized in that the external cannula (1; 101) has a polygonal cross section, for example a square cross section.

Please amend Claim 6 as follows:

6. (AMENDED) The biopsy needle according to claim 1, characterized in that the external cannula has a rounded cross section, for example a circular or elliptical cross section.

Please amend Claim 7 as follows.

7. (AMENDED) The biopsy needle according to claim 1, characterized in that it comprises a sliding element (307; 407) designed to be set in contrast with the tab (305C; 405C) to re-open said tab so as to facilitate extraction of the tissue specimen without damaging it.

Please amend Claim 8 as follows:

8. (AMENDED) The biopsy needle according to claim 1 and particularly suited for taking intra-osseous samples, characterized in that the cannula has a penetrating end which is truncated at right angles with respect to the axis of the needle and is provided with a serrated edge, and in that the closing stem (413) has a faceted tip.

Please add the following new claims

10. (NEW) The biopsy needle according to claim 2, characterized in that said tab-like extension (105C) has side walls (105E) designed to contain the tissue specimen laterally.

11. (NEW) The biopsy needle according to claim 3, characterized in that said tab-like extension (105C) has side walls (105E) designed to contain the tissue specimen laterally.

12. (NEW) The biopsy needle according to claim 2, characterized in that it comprises a sliding element (307; 407) designed to be set in contrast with the tab (305C; 405C) to re-open said tab so as to facilitate extraction of the tissue specimen without damaging it.

#### REMARKS

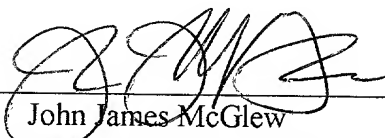
Claims 1 through 12 are in this application and are presented for consideration. Claims 3 through 8 have been amended and new claims 10 through 12 have been added. The amended claims present the same subject matter as the original claims but have been amended to adapt them to the U. S. style. The new claims present subject matter similar to the original claims, but in a different form.

The claims have been amended in order to place this application in better form. Appropriate headings have been added. No new matter has been added.

Favorable action on the merits is respectfully requested.

Respectfully submitted  
for Applicant,

By:

  
John James McGlew

Registration No. 31,903

McGLEW AND TUTTLE, P.C.

JJM:tf

70496.1

Enclosed: Marked-Up Version of the Claims

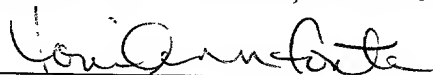
DATED: March 21, 2002  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

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BY:



DATE: March 21, 2002

## MARKED-UP VERSION OF THE CLAIMS

3. (AMENDED) The biopsy needle according to ~~any one of the foregoing claims 1,~~ characterized in that said deflection of said tab-like extension (5C; 105C; 205C; 305C; 405C) takes place beyond the elastic limit of the latter and is generally permanent, in such a way that at least said withholding element (5) is of the disposable type.

4. (AMENDED) The biopsy needle according to Claim 1, ~~or 2 or 3,~~ characterized in that said tab-like extension (105C) has side walls (105E) designed to contain the tissue specimen laterally.

5. (AMENDED) The biopsy needle according to ~~any one of the foregoing claims 1,~~ characterized in that the external cannula (1; 101) has a polygonal cross section, for example a square cross section.

6. (AMENDED) The biopsy needle according to ~~any one of the foregoing claims 1,~~ characterized in that the external cannula has a rounded cross section, for example a circular or elliptical cross section.

7. (AMENDED) The biopsy needle according to ~~at least Claim 1 or 2,~~ characterized in that it comprises a sliding element (307; 407) designed to be set in contrast with the tab (305C; 405C) to re-open said tab so as to facilitate extraction of the tissue specimen without damaging it.

8. (AMENDED) The biopsy needle according to ~~any one of the foregoing claims 1~~ and particularly suited for taking intra-osseous samples, characterized in that the cannula has a penetrating end which is truncated at right angles with respect to the axis of the needle and is provided with a serrated edge, and in that the closing stem (413) has a faceted tip.

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